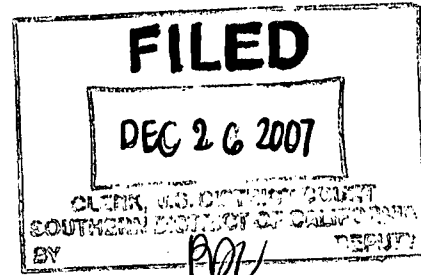


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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Wen-Cheng Hsiung
Chia Hui Tang
Pei Yu Hsiung
Yueh Ling Hsiung,

Civil Action No.

'07 CV 2418 BTM JMA

Plaintiffs,

COMPLAINT FOR
MANDAMUS

vs.

ROBERT S. MUELLER, III, Director,
Federal Bureau of Investigation;
GERARD HEINAUER, Acting Director,
Nebraska Service Center, USCIS;
EMILIO T. GONZALEZ, Director,
USCIS;
PAUL PIERRE, District Director,
USCIS;
MICHAEL CHERTOFF, Secretary,
Department of Homeland Security;
MICHAEL MUKASEY, Attorney General,
Department of Justice

Immigration Case

USCIS Agency Nos.:

A99 876 156

A99 876 157

A99 876 158

A99 876 159

Defendants.

COMPLAINT FOR MANDAMUS**I. INTRODUCTION**

This action is brought by Plaintiffs to compel Defendants to process the necessary background checks and adjudicate Plaintiffs' applications for Adjustment of Status (Forms I-485).

Plaintiffs' employment-based applications were filed on November 3, 2006 with the United States Citizenship and Immigration Service ("USCIS"), Nebraska Service Center. The latest information posted on the Nebraska Service Center's website on November 14, 2007, indicates that the Center has completed processing employment-based adjustment applications that were filed on April 14, 2007 (i.e., cases that were filed over five and a half months after Plaintiffs' applications).

Plaintiffs have made numerous inquiries regarding the status of their applications. However, at all times, Plaintiffs have been informed by USCIS that their background checks have not yet been completed. Due to Defendants' failure to complete the background checks and adjudicate the Forms I-485, the applications remain pending at the Nebraska Service Center.

II. PARTIES

1. Plaintiff, Wen-Cheng Hsiung's employer, Science Applications International Corporation, filed an Immigrant Petition for Alien Worker, Form I-140, seeking to classify Plaintiff as a Member of the Professions holding an Advanced Degree. The said Petition was approved. Based on the approved petition, Plaintiff Wen-Cheng Hsiung filed an Application for Adjustment of Status (Form I-485) which is currently pending. Plaintiff is therefore in the United States as an applicant for adjustment of status to lawful permanent residence (I-485 pending status). He resides in San Diego, California, and has a spouse and two daughters, all of whom have applied with the Plaintiff for Adjustment of Status.

2. Plaintiff Chia Hui Tang, is the wife of Plaintiff Wen-Cheng Hsiung. A copy of the Marriage Certificate and English translation is enclosed verifying the mentioned relationship. **(Exhibit 1)** Ms. Tang is currently an applicant for adjustment of status to lawful permanent residence. Her application to adjust status (Form I-485) was filed as a derivative applicant based on her husband, Plaintiff Wen-Cheng Hsiung's application. Ms. Tang also resides in San Diego with her husband and two daughters.

3. Plaintiffs Pei Yu Hsiung and Yueh Ling Hsiung are the daughters of Plaintiffs Wen-Cheng Hsiung and Chia Hui Tang. A copy of the Household Certificate from Taiwan and the English translation is enclosed verifying that Pei Yu

1 Hsiung and Yueh Ling Hsiung are daughters of Plaintiff Wen-
2 Cheng Hsiung. **(Exhibit 2)** The mentioned daughters are
3 also derivate applicants for adjustment of status to lawful
4 permanent residence based on their father, Wen-Cheng
5 Hsiung's, application. Both Pei Yu Hsiung and Yueh Ling
6 Hsiung reside with their parents in San Diego, California.

7
8 4. Defendant Robert S. Mueller, III is sued in his
9 official capacity as the Director of the Federal Bureau of
10 Investigation ("FBI"). He is responsible for conducting
11 both criminal record checks and the National Name Check
12 Program ("NNCP"). The NNCP disseminates information from
13 the FBI's Central Records System in response to requests
14 submitted by federal agencies, including USCIS.

15
16 5. Defendant Gerard Heinauer is sued in his official
17 capacity as the Acting Director of the Nebraska Service
18 Center of the United States Citizenship and Immigration
19 Services ("USCIS"), an agency within the Department of
20 Homeland Security ("DHS"), which is charged by law with the
21 duty of adjudicating I-485 applications for adjustment of
22 status to lawful permanent residence for persons and
23 immediate family members of those whose Immigrant Petitions
24 have been approved.

25
26 6. Defendant Emilio T. Gonzalez is sued in his
27 official capacity as the Director of the United States
28 Citizenship and Immigration Services, an agency within the
Department of Homeland Security, which is charged by law

1 with the duty of adjudicating I-485 applications for
2 adjustment of status to lawful permanent residence for
3 persons and their immediate family members who have an
4 approved Immigrant Petition.

5
6 7. Defendant Paul Pierre is sued in his official
7 capacity as the District Director of the San Diego District
8 of the United States Citizenship and Immigration Services,
9 an agency within the Department of Homeland Security. In
10 his capacity as District Director, Mr. Pierre administers
11 the immigration laws on behalf of the Secretary of the
12 Department of Homeland Security in the State of California.
13 Pursuant to 8 C.F.R. §310.2, Mr. Pierre has decision-making
14 authority with respect to matters alleged in this
15 complaint, whose immigration case is in the control of the
16 San Diego District Office.

17
18 8. Defendant Michael Chertoff is sued in his official
19 capacity as the Secretary of Homeland Security. In this
20 capacity, he has responsibility for the administration and
21 enforcement of the immigration laws pursuant to 8 U.S.C. §
22 1103(a), including the accurate, efficient and secure
23 processing of immigration benefits.

24
25 9. Defendant Michael Mukasey is sued in his official
26 capacity as the Attorney General of the United States and
27 is charged with the authority and duty to direct, manage
28 and supervise all employees and all files and records of
the Department of Justice, including the security checks

1 required to obtain an immigration benefit such as
2 adjustment of status to lawful permanent residence.

3 4 III. JURISDICTION

5 10. This is a civil action brought pursuant to 28
6 U.S.C. §§ 1331 and 1361 to redress the deprivation of
7 rights, privileges and immunities secured to Plaintiffs, by
8 which jurisdiction is conferred, to compel Defendants to
9 perform duties owed to Plaintiffs.

10
11 11. Jurisdiction is also conferred by 5 U.S.C. § 704.
12 Plaintiffs are aggrieved by adverse agency action in this
13 case, as the Administrative Procedures Act requires in
14 order to confer jurisdiction on the District Courts. 5
15 U.S.C. § 702 *et seq.*

16
17 12. The court's aid is invoked under 28 U.S.C. §§ 2201
18 and 2202, authorizing a declaratory judgment.

19
20 13. Costs and attorneys fees will be sought pursuant
21 to the Equal Access to Justice Act, 5 U.S.C. § 504, and 28
22 U.S.C. § 2412(d), *et seq.*

23 24 IV. VENUE

25 14. Venue is proper in San Diego, California and the
26 Southern District of California since Plaintiffs reside in
27 San Diego.

1 **V. EXHAUSTION OF REMEDIES**

2 15. Plaintiffs have exhausted their administrative
3 remedies. Plaintiffs and their attorney have made numerous
4 inquiries concerning the status of their I-485
5 applications. However, Defendants have still failed to
6 complete the required background checks and have not yet
7 adjudicated Plaintiffs' applications. Plaintiffs have no
8 other adequate remedy available for the harm they seek to
9 redress, namely, Defendants failure to adjudicate their
10 applications for adjustment of status to permanent
11 residence in a timely manner.

12
13 **VI. REMEDY SOUGHT**

14 16. Plaintiffs seek to have the Court compel Defendant
15 Mueller to conduct a criminal record check and
16 security/name check and issue the results within 30 days.

17
18 17. Plaintiffs seek to have the Court compel
19 Defendants Heinauer and Mukasey to promptly adjudicate
20 their pending I-485 applications upon receipt of the
21 required background checks.

22
23 **VII. CAUSE OF ACTION**

24
25 18. Plaintiff Wen-Cheng Hsiung is a citizen of Taiwan.
26 He last entered the United States on September 30, 2004,
27 and has been working for Science Applications International
28 Corporation - an information technology and science and
engineering company - in San Diego, California, as a

1 Systems Engineer in H-1B status. H-1B employees are aliens
2 who are authorized to work in the U.S. in a specialty
3 occupation for a temporary period of time not to exceed six
4 years. A copy of Plaintiff's H-1B Approval Notice showing
5 a validity date until July 19, 2009 along with copies of
6 Plaintiff's passport biographical page, visa and I-94 form
7 are attached. **(Exhibit 3)** Plaintiff's wife, Chia Hui
8 Tang, and daughters, Pei Yu Hsiung and Yueh Ling Hsiung
9 joined Wen-Cheng Hsiung in the United States and stayed
10 with him in H-4 status. Copies of the biographical pages,
11 Visas and I-94 forms of Plaintiff's immediate family
12 members are attached. **(Exhibit 4)**

13
14 19. On August 30, 2006, Plaintiff's employer, Science
15 Applications International Corporation, filed an
16 Application for Permanent Employment Certification - a
17 "labor certification application" (ETA Form 9089) - with
18 the U.S. Department of Labor pursuant to 20 CFR 656.24 to
19 seek Plaintiff's services as an employee on a permanent
20 basis. This is the first step that an employer must take
21 to obtain permanent residency for an alien and employ a
22 foreign national permanently in the United States. The
23 said application was certified by the U.S. Department of
24 Labor on September 5, 2006. A copy of the certification
25 notice from the U.S. Department of Labor is attached.
26 **(Exhibit 5)**

27 20. Based on the approved labor certification
28 application, Science Applications International Corporation

1 filed an Immigrant Petition for Alien Worker (Form I-140)
2 with USCIS on November 3, 2006 seeking to classify
3 Plaintiff Wen-Cheng Hsiung as a Member of the Professions
4 holding an Advanced Degree. The said Petition was approved
5 on November 6, 2006. A copy the I-140 Approval Notice is
6 attached. **(Exhibit 6)**

7
8 21. Plaintiff Wen-Cheng Hsiung also filed an
9 Application to Adjust to Permanent Resident Status (Form I-
10 485) pursuant to 8 U.S.C. § 1158(b) concurrently with the
11 I-140 Form filed by Science Applications International
12 Corporation. The said application was received by the
13 Nebraska Service Center on November 3, 2006. A copy of the
14 I-485 Receipt Notice (Receipt Number LIN-07-026-50404)
15 pertaining to Plaintiff Wen-Cheng Hsiung is attached.
16 **(Exhibit 7)**

17
18 22. Plaintiff Wen-Cheng Hsiung's wife, Chia Hui Tang,
19 and two daughters, Pei Yu Hsiung and Yueh Ling Hsiung also
20 filed Applications to Adjust to Permanent Resident Status
21 with the Nebraska Service Center as derivative applicants
22 based on their family relationship to Plaintiff Wen-Cheng
23 Hsiung. Copies of their I-485 Receipt Notices are also
24 attached evidencing that their applications were received
25 by the Nebraska Service Center on November 3, 2006, that
26 Ms. Tang's Receipt Number is LIN-07-026-50415, and that the
27 Receipt Numbers for the applications of Pei Yu Hsiung and
28 Yueh Ling Hsiung are LIN-07-026-50428 and LIN-07-026-50435
respectively. **(Exhibit 8)**

1
2 23. The latest information posted on the Nebraska
3 Service Center's website shows that as of November 14,
4 2007, the Center has completed processing I-485 employment-
5 based applications filed on April 14, 2007. Please see the
6 enclosed printout from USCIS' website titled "Nebraska
7 Service Center Processing Dates." **(Exhibit 9)** Since the
8 applications of Plaintiff Wen-Cheng Hsiung and his family
9 members were filed on November 3, 2006, it is evident that
10 their applications should have been processed and
11 adjudicated over five months ago.

12
13 24. Plaintiffs believe that Defendants have a non-
14 discretionary duty to complete the processing of their
15 applications for permanent residence in a reasonable time.
16 However, Defendants have failed to process Plaintiffs
17 applications in a timely manner.

18
19 25. Plaintiffs have made numerous inquiries into their
20 case's status. However, Plaintiffs have repeatedly been
21 informed by USCIS that their cases are pending since
22 background checks have not yet been done. However,
23 plaintiffs' fingerprints were taken on January 3, 2007 and,
24 therefore, Defendants have had ample time to conduct the
25 necessary background checks. Copies of the Application
26 Support Center's Appointment Notices are attached.
27 **(Exhibit 10)** Based on information and belief, Plaintiffs
28 allege that the FBI completes 98 to 99% of its name check

1 requests within 120 days. Therefore, Defendants should
2 have completed the necessary background checks by now.

3
4 26. Plaintiffs realize that criminal background checks
5 and security/name check clearances are crucial and
6 important procedures that must be completed by the FBI, and
7 that such steps are required for all applicants for
8 adjustment of status. However, given that Plaintiffs'
9 fingerprints were taken on January 3, 2007 (over 11 months
10 ago), their background checks and related clearances should
11 have been completed some time ago. It is critical to
12 Plaintiffs to have their legal status in the United States
13 resolved since this will have an immediate and significant
14 impact on their lives. Plaintiff Wen-Cheng Hsiung will not
15 be considered for important job promotions and will not be
16 eligible to work for his employer on major projects
17 overseas unless he has attained legal permanent resident
18 status in the U.S. Further, Plaintiffs are hesitant to
19 establish deeper roots, undertake important financial
20 investments, and transfer all their property and funds to
21 the U.S. unless the issue of their status is adjudicated.
22 Since Defendants have failed to process Plaintiffs'
23 applications for over five months beyond the normal
24 processing timeline and as, unfortunately, it is not
25 uncommon for Defendants to set aside cases that have not
26 been processed within the normal timeframe - sometimes for
27 several years - Plaintiffs believe that Defendants will
28 continue to leave their cases unadjudicated for a
considerable period unless this Court orders Defendants to

1 complete the name check/security investigation within a
2 reasonable time period. Plaintiffs believe that there is
3 no legal basis for Defendants to fail to review Plaintiffs'
4 cases.

5
6 27. In violation of the Administrative Procedures Act,
7 5 U.S.C. § 701 et seq., Defendants are unlawfully
8 withholding or unreasonably delaying action on Plaintiffs'
9 applications, and Defendants have failed to carry out the
10 adjudicative functions delegated to them by law.
11

12 **VIII. PRAYER**

13
14 28. WHEREFORE, in view of the arguments and
15 authorities noted herein, Plaintiffs respectfully pray that
16 Defendants be cited to appear herein, and that, upon due
17 consideration, the Court enter an order:

18 (a) Requiring Defendant Mueller to process Plaintiffs'
19 criminal record check and name check/security clearance
20 within 30 days;

21 (b) Requiring Defendant Heinauer to immediately follow-up
22 with the FBI if the criminal record check and name check
23 clearances are not received within 30 days;

24 (c) Requiring Defendant Heinauer to adjudicate
25 Plaintiffs' I-485 applications within 30 days of the
26 receipt of the results of the criminal background check and
27 security/name check clearance;

28 (d) Awarding Plaintiffs' reasonable attorney's fees and
costs of Court; and

1 (e) Granting such other relief at law and in equity as
2 justice may require.

3
4 Dated: 12/22/2007 Respectfully submitted,

5
6
7 Linda W. Lau (California Bar # 135064)
8 Tina Bay (California Bar # 229398)
9 Law Offices of Linda W. Lau

10 Attorneys for Plaintiffs

11 By:  _____

12 Linda W. Lau
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TABLE OF CONTENTS

Exhibit 1	Marriage Certificate and English translation verifying the relationship between Plaintiffs Wen-Cheng Hsiung and Chia Hui Tang
Exhibit 2	Household Certificate along with English translation verifying that Plaintiffs Pei-Yu Hsiung and Yueh-Ling Hsiung are daughters of Plaintiffs Wen-Cheng Hsiung and Chia Hui Tang
Exhibit 3	Copies of Plaintiff Wen-Cheng Hsiung's H-1B Approval Notice, Visa page and I-94 form
Exhibit 4	Copies of the biographical pages, visas and I-94 forms of Plaintiffs, Chia Hui Tang, Pei Yu Hsiung, and Yueh Ling Hsiung
Exhibit 5	Copy of the Certified Labor Certification Notice issued by the U.S. Department of Labor
Exhibit 6	Copy of the Approval Notice (Form I-797) pertaining to the Immigrant Petition for Alien Worker (Form I-140) that was filed by Science Applications International

EXHIBIT 1

MARRIAGE CERTIFICATE

Date: March 26, 1963

THIS IS TO CERTIFY THAT:

HSIUNG, WEN-CHENG, whose lineage is from Nan Chang Hsien, Jiangxi Province, China, 25 years of age, born on April 10, 1958

And

TANG, CHIA-HUI, whose lineage is from Tung Lai, Shantung Province, China, 24 years of age, born on April 10, 1959

Joined together in the ceremony on the 26th day of March 1983 at 6:00 p.m. in Kaohsiung City, Taiwan, R.O.C.

They have been introduced to each other by Mr. HSU, CHUNG-KUO and Mr. CHEN, SHIH-CHIEH and the wedding ceremony was presided by Mr. CHU, HSIAO-CHI. These two parties are now united forever in harmony by the matrimony on this auspicious day in taking the oath of mutual fidelity throughout their lives. This certificate is hereby recorded.

Sealed by:


Bridegroom	:	HSIUNG, WEN-CHENG
Bride	:	TANG, CHIA-HUI
Masters of Wedding	:	HSIUNG, SHENG-SAN TANG, HSIU-LING
Witness of Wedding	:	CHU, HSIAO-CHI
Matchmakers	:	HSU, CHUNG-KUO CHEN, SHIH-CHIEH

Affidavit of Translation

State of California)
) S.S.
County of Los Angeles)

I, being duly sworn, declare that I am familiar with the Chinese and English languages, that I made the preceding translation, and that the said translation is to the best of my knowledge a true and correct translation.

Dated: October 27, 2006



Elaine Sy

EXHIBIT 2

中外翻譯企業股份有限公司

UNIVERSE TRANSLATION SERVICE CORP.

高雄市801前金一街19號5樓(企業家華廈)
電話: (07)2513955
傳真: (07)2810488

5F, No. 19, Chien-chin 1st St.,
Kaohsiung 801, Taiwan, R.O.C.
Tel: (07) 2513955
Fax: (07) 2810488

TRANSLATION

Household No.: E4881346		HOUSEHOLD CERTIFICATE			
Administrative District and Address		6F, No. 64, Hua Ning Rd., Lin 20, Yu Feng Li, Ku Shan Dist., Kaohsiung City, Taiwan, R.O.C.			
Changes of Head of Household and Movements of Whole Movement		Moved in from 18F, No. 40, Kuo Feng St., Lin 11, Kuo Hui Li, Tsoying Dist., Kaohsiung City on February 3, 1995. Changed address from 3F-2, No. 3, Alley 1, Lane 1991, Chiu Ju 4th Rd., Lin 14, Hsiung Feng Li on December 26, 1995.			
Relationship: Head of household	Name 熊文正	HSIUNG, WEN-CHENG			Remarks I.D. Card was issued in 1986 The household was revised in 1997.
	Order of Birth	1st male			
	Date of Birth	April 10, 1958	I.D. Card No.	E120495742	
	Father	HSIUNG, SHENG-SAN			
	Mother	HSIUNG, FANG PING-CHEN			
	Spouse	TANG, CHIA-HUI			
	Birthplace	Kaohsiung City, Taiwan, R.O.C.			
Relationship: Wife	Name 唐家慧	TANG, CHIA-HUI			Remarks I.D. Card was issued in 1986. The household was revised in 1997.
	Order of Birth	2nd female			
	Date of Birth	April 10, 1959	I.D. Card No.	E220173270	
	Father	TANG, HSIU-LING			
	Mother	TANG, KAO JUI-HSLA			
	Spouse	HSIUNG, WEN-CHENG			
	Birthplace	Kaohsiung City, Taiwan, R.O.C.			
Relationship: 1st daughter	Name 熊珮宇	HSIUNG, PEI-YU			Remarks I.D. Card was issued in 1986. The household was revised in 1997.
	Order of Birth	1st female			
	Date of Birth	July 15, 1987	I.D. Card No.	E223859339	
	Father	HSIUNG, WEN-CHENG			
	Mother	TANG, CHIA-HUI			
	Spouse	(Blank)			
	Birthplace	Kaohsiung City, Taiwan, R.O.C.			

中外翻譯企業股份有限公司

UNIVERSE TRANSLATION SERVICE CORP.

臺南市801金一街19號5樓(企業家華園)
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傳真 (07) 2810488

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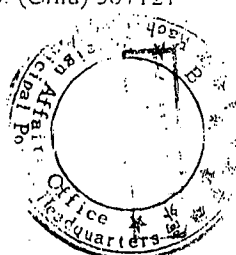
Relationship:	Name 熊月齡	HSIUNG, YUEH-LING	Remarks	Born at Chien Hsin Hospital,
2nd daughter	Order of Birth	2nd female		Kaohsiung City, Taiwan, R.O.C. and it
	Date of Birth	May 25, 1998	I.D. Card No.	E224782042
	Father	HSIUNG, WEN-CHENG		was registered on June 1, 1998
	Mother	TANG, CHIA-HUI		
	Spouse	(Blank)		
	Birthplace	Kaohsiung City, Taiwan, R.O.C.		

This extract is a true and correct copy of the original entries in the Household Register filed with Household Registry of the Census Administration Office of Ku Shan Dist., Kaohsiung City, Taiwan, R.O.C.

Chief : LIN, MING-TU

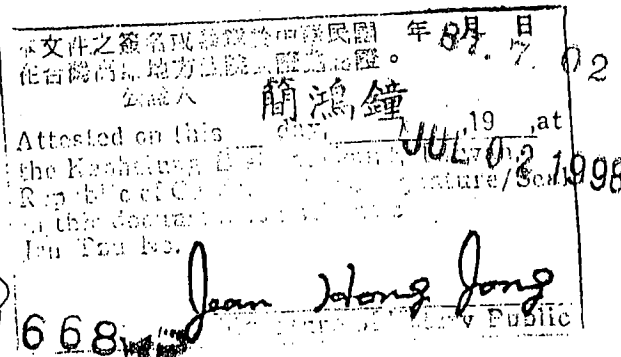
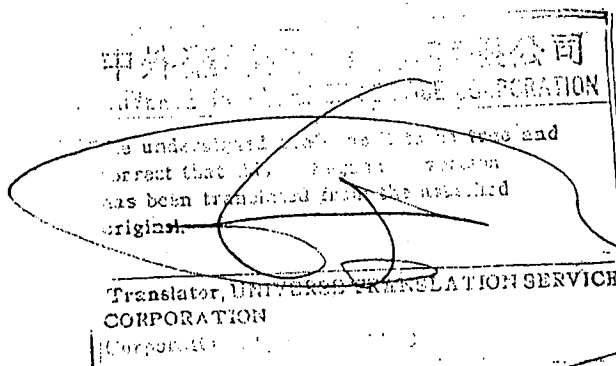
Date : June 1, 1998

File No. : Kao-Shih-Ku-Hu-Teng-Tzu No. (Chia) 507121



JUN 30 1998

譯文與原文相符



RLRP21E0

本 籍 戶 籍 謄 本

號：E4881346

名：熊月翎

戶長姓名：熊文正

在高雄市政府衛生局醫院出生民國87年6月1日中登。

戶 稱

調：次女

姓

出生別

次女

民國 087年 05月 25日

統 一 編 號

E224782042

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EXHIBIT 3

UNITED STATES OF AMERICA

RECEIPT NUMBER WAC-04-205-54340		CASE TYPE I129 PETITION FOR A NONIMMIGRANT WORKER
RECEIPT DATE July 19, 2004	PRIORITY DATE	PETITIONER SCIENCE APPLICATIONS INTL CORP
NOTICE DATE August 20, 2004	PAGE 1 of 1	
LINDA W. LAU LAW OFFICES OF LINDA W LAU RE: SCIENCE APPLICATIONS INTL CORP 350 S FIGUEROA ST STE 760 LOS ANGELES CA 90071		Notice Type: Amended Approval Notice Class: H1B2 Valid from 08/03/2004 to 07/19/2009
<p>The above petition has been approved, and notification has been sent to the listed consulate. You may also send the tear-off bottom part of this notice to the worker(s) to show the approval. Please contact the consulate with any questions about visa issuance. THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA.</p> <p>Petition approval does not authorize employment. When the workers are granted status based on this petition they can then work for the petitioner, but only as detailed in the petition and for the period authorized. Please contact the IRS with any questions about tax withholding.</p> <p>If circumstances change, the petitioner can file Form I-822 to have us notify another consulate of this approval. If any of the workers are already in the U.S. the petitioner can file a new Form I-129 to seek to change or extend their status based on this petition. Changes in employment also require a new petition. Include a copy of this notice with any other required documentation.</p> <p>If any of the worker(s) included in this petition do not actually enter the United States, substitutions of different workers are not made, the petitioner must notify this office so the allocated nonimmigrant visa numbers can be re-used.</p> <p>Number of workers: 1 Name DOB COB Class Consulate or POE OCC Code HSIUNG, WEN CHENG 04/10/1958 TAIWAN H1B2 TAIPEI AIT 014</p>		

Please see the additional information on the back. You will be notified separately about any other cases you filed.

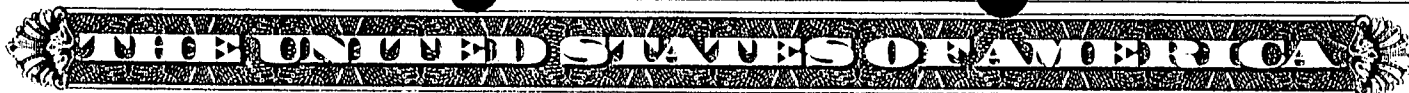
IMMIGRATION & NATURALIZATION SERVICE
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283
Form I797B (Rev. 09/07/93)N



Please tear off portion below and forward it to the alien worker.

The alien may use this portion when applying for a visa at an American consulate abroad, or if no visa is required, when applying for admission to the U.S.

Receipt#: WAC-04-205-54340	Case Type: I129
Notice Date: August 20, 2004	Petitioner: SCIENCE APPLICATIONS INTL CORP
Petition Validity Dates: 08/03/2004 through 07/19/2009	Number of Workers: 1
Name DOB COB	Class Consulate or POE
HSIUNG, WEN CHENG 04/10/1958 TAIWAN	H1B2 TAIPEI AIT
	OCC Code 014



RECEIPT NUMBER WAC-04-205-54340		CASE TYPE I129
RECEIPT DATE July 19, 2004		PETITION FOR A NONIMMIGRANT WORKER
PRIORITY DATE	PETITIONER SCIENCE APPLICATIONS INTL CORP	
NOTICE DATE July 21, 2004	PAGE 1 of 1	BENEFICIARY HSIUNG, WEN CHENG
SCIENCE APPLICATIONS INTL CORP C/O GEORGE B REITER VP/GRP HR DIRECTOR 10260 CAMPUS POINT DR SAN DIEGO CA 92121		Notice Type: Approval Notice Consulate: TAIPEI AIT

Courtesy Copy: Original sent to: LAU, LINDA W

This courtesy notice is to advise you of action taken on this case. The official notice has been mailed to the attorney or representative indicated above. Any relevant documentation included in the notice was also mailed as part of the official notice.

The above petition has been approved, and notification has been sent to the listed consulate. You may also send the tear-off bottom part of this notice to the worker(s) to show the approval. Please contact the consulate with any questions about visa issuance. THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA.

Petition approval does not authorize employment. When the workers are granted status based on this petition they can then work for the petitioner, but only as detailed in the petition and for the period authorized. Please contact the IRS with any questions about tax withholding.

If circumstances change, the petitioner can file Form I-824 to have us notify another consulate of this approval. If any of the workers are already in the U.S. the petitioner can file a new Form I-129 to seek to change or extend their status based on this petition. Changes in employment also require a new petition. Include a copy of this notice with any other required documentation.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



210668703

中華民國外交部部長茲請各國有關機關
對持用本護照之中華民國國民允予自由
通行，并請必要時儘量予以協助及保護。

The Minister of Foreign Affairs of the Republic of China requests all whom it may concern to permit the national of the Republic of China named herein to pass freely and in case of need to give all possible aid and protection.

劉文正

(持照人簽名) (SIGNATURE OF BEARER)

護 照
PASSPORT

中華民國 REPUBLIC OF CHINA.



型式 / Type P	代碼 / Code W	護照號碼 / Passport No. 210668703
姓名 / Name (Surname, Given name) 熊文正 HSIUNG, WEN-CHENG		
國籍 / Nationality REPUBLIC OF CHINA		
性別 / Sex M	身分證號碼 / Personal Id. No. E120495742	
發照日期 / Date of issue 11 MAR 2004	出生日期 / Date of birth 10 APR 1958	
效期截止 / 到期 / Date of expiry 11 MAR 2014	出生地 / Place of birth KAOHSIUNG CITY	
發照機關 / Authority MINISTRY OF FOREIGN AFFAIRS		

P<TWNHSIUNG<<WEN<CHENG<<<<<<<<<<<<<<<<<<
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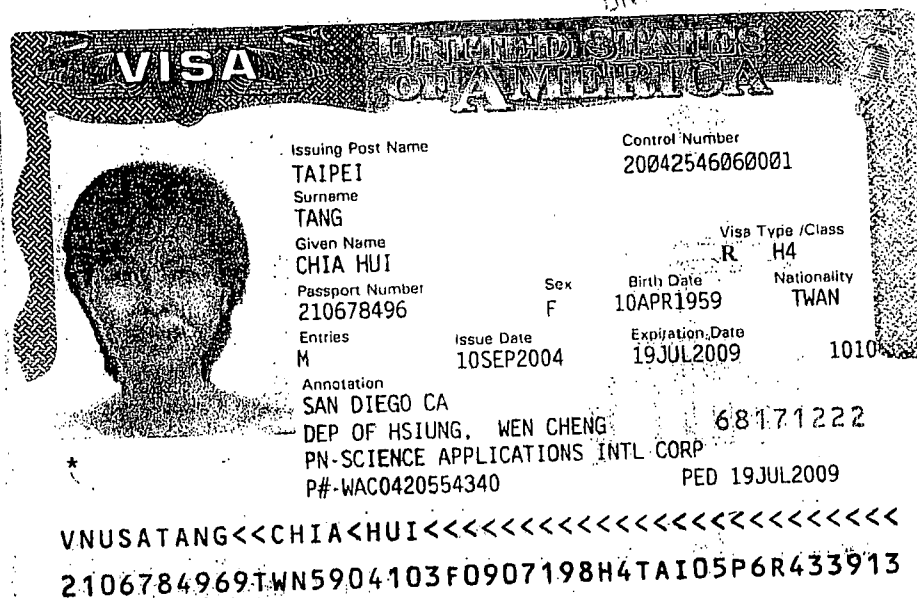
EXHIBIT 4

Departure Record

H4
July 19, 2009

Family Name											
First (Given) Name										Birth Date (Day/Mo/Yr)	
Country of Citizenship											

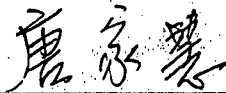
CBP Form 1-94 (10/04)



210678496

中華民國外交部請各國有關機關
對持用本護照之中華民國國民允予自由
通行，并請必要時以協助及保護。

*The Minister of Foreign Affairs of the Republic of China
requests all whom it may concern to permit the national of
the Republic of China named herein to pass freely and in
case of need to give all possible aid and protection.*

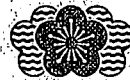



(持照人簽名) (SIGNATURE OF BEARER)

THIS PASSPORT CONTAINS 44 PAGES

護照
PASSPORT

中華民國 REPUBLIC OF CHINA



	型式 / Type P 代碼 / Code TWN 護照號碼 / Passport No. 210678496 姓名 / Name (Surname, Given names) 唐家慧 TANG, CHIA-HUI 國籍 / Nationality REPUBLIC OF CHINA 性別 / Sex F 發照日期 / Date of issue 17 MAR 2004 有效期限 / Date of expiry 17 MAR 2014 簽發機關 / Authority MINISTRY OF FOREIGN AFFAIRS	身分證統一編號 / Personal Id. No. E220173270 出生日期 / Date of birth 10 APR 1959 出生地點 / Place of birth TAOYUAN CITY 2106784969TWN5906103F1403170E220173270<<<<08
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Family Name	HSIUNG	First (Given) Name	PEI YU	Country of Citizenship	TAIWAN
					ROE
		Birth Date (Day/Mo/Yr)	15.07.87		

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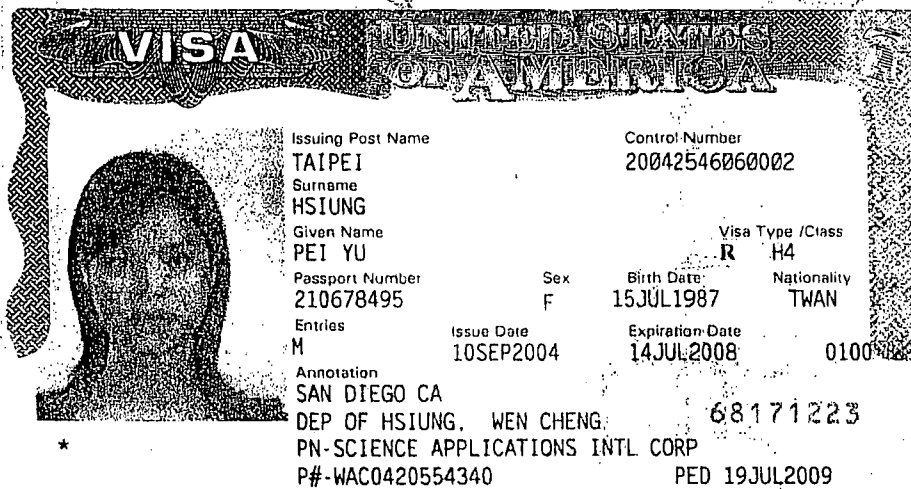
Departure Record

b6-1


Immigration and Naturalization Service

222310425612

Departure Number



VNUSAHSIUNG<<PEI<YU<<<<<<<<<<<<<<<<<<<<<<
2106784958TWN8707154F0807140H4TAIO5P6S523239



熊玕宇

(SIGNATURE OF BEARER)

THIS PASSPORT CONTAINS 48 PAGES



發行機關 / Authority
MINISTRY OF FOREIGN AFFAIRS

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SECRET

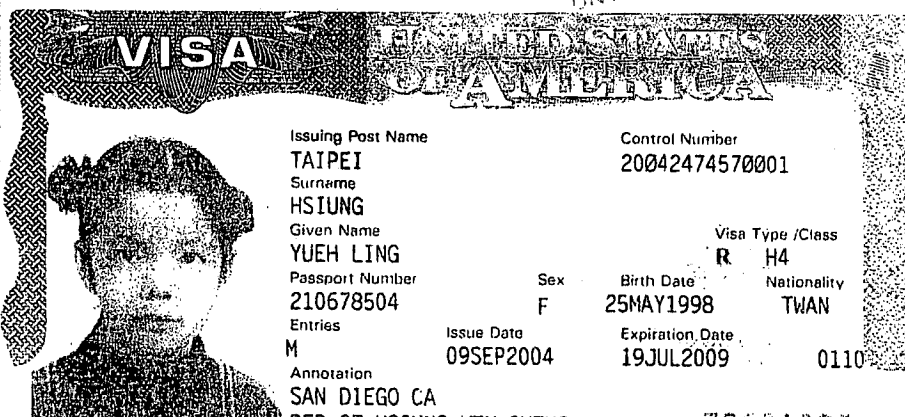
22310426512

I-94

Departure Record

H4
29 JULY 2009

Family Name HSIUNG		29 JULY 2009
First (Given) Name YUEH LING	Birth Date (Day/Mo/Yr) 25.05.98	
Country of Citizenship TAIWAN, R.O.C.		



VNUSAHSIUNG<<YUEH<LING<<<<<<<<<<<<<<<<<<
2106785047TWN9805253F0907198H4TAI050DX611337

The Minister of Foreign Affairs of the Republic of China requests all whom it may concern to permit the national of the Republic of China named herein to pass freely and in case of need to give all possible aid and protection.

熊月明 父親代簽

(持照人簽名) (SIGNATURE OF BEARER)

THIS PASSPORT CONTAINS 48 PAGES

中華民國 REPUBLIC OF CHINA



姓名 / Name	HSIUNG, YUEH-LING
國籍 / Nationality	REPUBLIC OF CHINA
性別 / Sex	F
出生日期 / Date of birth	25 MAR 1998
發照日期 / Date of issue	17 MAR 2004
效期截止日期 / Date of expiry	17 MAR 2009
發照機關 / Authority	MINISTRY OF FOREIGN AFFAIRS

P<TWNHSIUNG<<YUEH<LING<<<<<<<<<<<<<<<<<<<<<<<<<<<
2106785047TWN9 J5253F0903178E224782042<<<<54

EXHIBIT 5

U.S. Department of Labor Employment and Training Administration
Chicago Processing Center
844 N. Rush Street
12th Floor
Chicago, IL 60611



September 05, 2006

SCIENCE APPLICATIONS
INTERNATIONAL CORPORATION
c/o Law Offices of Linda W. Lau
Linda W. Lau
350 S. Figueroa Street # 760
Los Angeles, CA 90071

ETA Case Number: C-06199-40186

Alien's Name: WEN CHENG HSIUNG
Occupation: Computer Systems Analysts, 15-1051.00

Date of Acceptance for
Processing: August 30, 2006

Dear SCIENCE APPLICATIONS INTERNATIONAL CORPORATION

The Department of Labor has made a determination on your Application for Permanent Employment Certification (ETA Form 9089) pursuant to 20 CFR 656.24 and as required by the Immigration and Nationality Act, as amended.

Form ETA 9089 has been certified and is enclosed. This certification must be attached to the I-140 petition and filed with the appropriate office of the United States Citizenship and Immigration Services (USCIS).

Sincerely,

Dominic Pavese
Certifying Officer

CC: SCIENCE APPLICATIONS INTERNATIONAL CORPORATION
Enclosure(s): ETA Form 9089

EXHIBIT 6

THE UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-07-026-50384		CASE TYPE I140
		IMMIGRANT PETITION FOR ALIEN WORKER
RECEIPT DATE November 3, 2006	PRIORITY DATE August 30, 2006	PETITIONER SCI APPLICATIONS INTL CORP
NOTICE DATE November 6, 2006	PAGE 1 of 1	BENEFICIARY A099 876 156 HSIUNG, WEN CHENG
LINDA W. LAU LAW OFFICES OF LINDA W LAU 350 S FIGUEROA STREET SUITE 760 LOS ANGELES CA 90071		Notice Type: Approval Notice Section: Mem of Profession w/Adv Deg, or of Exceptn'l Ability Sec.203(b)(2)

The above petition has been approved. The person this petition is for will be notified separately when a decision is reached on his or her pending adjustment of status application.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER
U. S. IMMIG. & NATZ. SERVICE
P.O. BOX 82521
LINCOLN NE 68501-2521
Customer Service Telephone: 800-375-5283



EXHIBIT 7

THE UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-07-026-50404		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE November 1, 2006	PRIORITY DATE	APPLICANT A99 876 156 HSIUNG, WEN CHENG
NOTICE DATE November 3, 2006	PAGE 1 of 1	
LINDA W. LAU LAW OFFICES OF LINDA W LAU 350 S FIGUEROA STREET SUITE 760 LOS ANGELES CA 90071		Notice Type: Receipt Notice Amount received: \$ 395.00 Section: Adjustment as direct beneficiary of immigrant petition

Receipt notice If any of the above information is incorrect, call customer service immediately.

Processing time Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at uscis.gov.
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to www.state.gov/travel <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at www.uscis.gov or contact us at 1-800-375-5283.

If this receipt is for an I-485, or I-698 application

USCIS WILL SCHEDULE YOUR BIOMETRICS APPOINTMENT. You will be receiving a biometrics appointment notice with a specific time, date and place where you will have your fingerprints and/or photos taken. You MUST wait for your biometrics appointment notice prior to going to the ASC for biometrics processing. This I-797 receipt notice is NOT your biometrics appointment notice and should not be taken to an ASC for biometrics processing.

WHAT TO BRING TO YOUR BIOMETRICS APPOINTMENT-

Please bring your biometrics appointment letter (with specific time, date and place where you will have your fingerprints and/or photo taken) AND your photo identification to your biometrics appointment.

Acceptable kinds of photo identification are:

- a passport or national photo identification issued by your country,
- a drivers license,
- a military photo identification, or
- a state - issued photo identification card.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER

U. S. IMMIG. & NATZ. SERVICE

P.O. BOX 82521

LINCOLN NE 68501-2521

Customer Service Telephone: 800-375-5283



EXHIBIT 8

THE UNITED STATES OF AMERICA

RECEIPT NUMBER LIN-07-026-50415		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE November 1, 2006	PRIORITY DATE	APPLICANT A99 876 157 TANG, CHIA HUI
NOTICE DATE November 3, 2006	PAGE 1 of 1	
LINDA W. LAU LAW OFFICES OF LINDA W LAU 350 S FIGUEROA STREET SUITE 760 LOS ANGELES CA 90071		Notice Type: Receipt Notice Amount received: \$ 395.00 Section: Derivative adjustment

Receipt notice If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at uscis.gov.
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to www.state.gov/travel <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at www.uscis.gov or contact us at 1-800-375-5283.

If this receipt is for an I-485, or I-698 application

USCIS WILL SCHEDULE YOUR BIOMETRICS APPOINTMENT. You will be receiving a biometrics appointment notice with a specific time, date and place where you will have your fingerprints and/or photos taken. You MUST wait for your biometrics appointment notice prior to going to the ASC for biometrics processing. This I-797 receipt notice is NOT your biometrics appointment notice and should not be taken to an ASC for biometrics processing.

WHAT TO BRING TO YOUR BIOMETRICS APPOINTMENT-

Please bring your biometrics appointment letter (with specific time, date and place where you will have your fingerprints and/or photo taken) AND your photo identification to your biometrics appointment.

Acceptable kinds of photo identification are:

- a passport or national photo identification issued by your country,
- a drivers license,
- a military photo identification, or
- a state - issued photo identification card.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER
U. S. IMMIG. & NATZ. SERVICE
P.O. BOX 82521
LINCOLN NE 68501-2521
Customer Service Telephone: 800-375-5283





RECEIPT NUMBER LIN-07-026-50428		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIVED DATE November 1, 2006	PRIORITY DATE	APPLICANT A99 876 158 HSIUNG, PEI YU
NOTICE DATE November 3, 2006	PAGE 1 of 1	
LINDA W. LAU LAW OFFICES OF LINDA W LAU 350 S FIGUEROA STREET SUITE 760 LOS ANGELES CA 90071		Notice Type: Receipt Notice Amount received: \$ 395.00 Section: Derivative adjustment

Receipt notice If any of the above information is incorrect, call customer service immediately.

Processing time Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at uscis.gov.
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition USCIS is now processing Form I 130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to www.state.gov/travel <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at www.uscis.gov or contact us at 1-800-375-5283.

If this receipt is for an I-485, or I-698 application

USCIS WILL SCHEDULE YOUR BIOMETRICS APPOINTMENT. You will be receiving a biometrics appointment notice with a specific time, date and place where you will have your fingerprints and/or photos taken. You MUST wait for your biometrics appointment notice prior to going to the ASC for biometrics processing. This I-797 receipt notice is NOT your biometrics appointment notice and should not be taken to an ASC for biometrics processing.

WHAT TO BRING TO YOUR BIOMETRICS APPOINTMENT-

Please bring your Biometrics appointment letter (with specific time, date and place where you will have your fingerprints and/or photo taken) AND your photo identification to your biometrics appointment.

Acceptable kinds of photo identification are:

- a passport or national photo identification issued by your country,
- a drivers license,
- a military photo identification, or
- a state - issued photo identification card.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER
U. S. IMMIG. & NATZ. SERVICE
P.O. BOX 82521
LINCOLN NE 68501-2521
Customer Service Telephone: 800-375-5283





RECEIPT NUMBER LIN-07-026-50435		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS	
RECEIVED DATE November 1, 2006	PRIORITY DATE	APPLICANT A99 876 159 HSIUNG, YUEH LING	
NOTICE DATE November 3, 2006	PAGE 1 of 1		
LINDA W. LAU LAW OFFICES OF LINDA W LAU 350 S FIGUEROA STREET SUITE 760 LOS ANGELES CA 90071		Notice Type: Receipt Notice Amount received: \$ 225.00 Section: Derivative adjustment	

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at uscis.gov.
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you.
- If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to www.state.gov/travel <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at www.uscis.gov or contact us at 1-800-375-5283.

If this receipt is for an I-485, or I-698 application

USCIS WILL SCHEDULE YOUR BIOMETRICS APPOINTMENT. You will be receiving a biometrics appointment notice with a specific time, date and place where you will have your fingerprints and/or photos taken. You MUST wait for your biometrics appointment notice prior to going to the ASC for biometrics processing. This I-797 receipt notice is NOT your biometrics appointment notice and should not be taken to an ASC for biometrics processing.

WHAT TO BRING TO YOUR BIOMETRICS APPOINTMENT

Please bring your biometrics appointment letter (with specific time, date and place where you will have your fingerprints and/or photo taken) AND your photo identification to your biometrics appointment.

Acceptable kinds of photo identification are:

- a passport or national photo identification issued by your country,
- a drivers license,
- a military photo identification, or
- a state - issued photo identification card.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER
U. S. IMMIG. & NATZ. SERVICE
P.O. BOX 82521

LINCOLN NE 68501-2521

Customer Service Telephone: 800-375-5283



EXHIBIT 9



[Print This Page](#) [Back](#)

U.S. Citizenship and Immigration Services Nebraska Service Center Processing Dates Posted November 14, 2007

The processing times shown below are a tool for our customers to gauge our current processing times. When applications and petitions are completed within our target timeframes, that goal will be shown in the data display.

The processing times shown below are for applications that have just been completed. If you have just filed your application, these timeframes may not reflect how long your application will take to be completed. We encourage you to check this page periodically before inquiring about your case. The processing times are updated monthly.

USCIS has received a significant increase in the number of applications filed. In July and August, nearly 2.5 million applications and petitions of all types were received. This compares to 1.2 million applications and petitions received in the same time period last year. This fiscal year, we received 1.4 million applications for naturalization; nearly double the volume we received the year before. The agency is working to improve processes and focus increased resources, including hiring approximately 1,500 new employees, to address this workload.

As a result, average processing times for certain application types may be longer. In particular, naturalization applications filed after June 1, 2007 may take approximately 16-18 months to process.

We offer a variety of services after you file. For example, for most kinds of cases you can [check the status of your case online](#).

For more information about when and how to contact us, whether your case is outside our processing time or if there are other issues, please see our customer guide –

[Case Services - How do I... know what kind of services are available to me after I file my application or petition?](#)

Service Center Processing Dates for **Nebraska Service Center** Posted November 14, 2007

Form	Title	Classification or Basis for Filing	Processing Timeframe
I-90	Application to Replace Permanent Resident Card	Initial issuance or replacement	November 06, 2006
I-90	Application to Replace Permanent Resident Card	10-year renewal	January 16, 2007
I-90A	Application to Replace Permanent Resident Card	Initial issuance or replacement for Special Agricultural Workers (SAW)	6 Months
I-102	Application for Replacement/Initial Nonimmigrant Arrival/Departure Record	Initial issuance or replacement of a Form I-94	July 20, 2007
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Visa to be issued abroad	2 Months
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Change of status in	2 Months

		the U.S.	
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Extension of stay in the U.S.	2 Months
I-129	Petition for A Nonimmigrant Worker	H-2A - Temporary workers	15 Days
I-129	Petition for A Nonimmigrant Worker	H-2B - Other temporary workers	30 Days
I-129	Petition for A Nonimmigrant Worker	H-3 - Temporary trainees	2 Months
I-129	Petition for A Nonimmigrant Worker	L - Intracompany transfers	30 Days
I-129	Petition for A Nonimmigrant Worker	Blanket L	2 Months
I-129	Petition for A Nonimmigrant Worker	O - Extraordinary ability	2 Months
I-129	Petition for A Nonimmigrant Worker	P - Athletes, artists, and entertainers	2 Months
I-129	Petition for A Nonimmigrant Worker	Q - Cultural exchange visitors and exchange visitors participating in the Irish Peace process	2 Months
I-129	Petition for A Nonimmigrant Worker	R - Religious occupation	2 Months
I-129	Petition for A Nonimmigrant Worker	TN - North American Free Trade Agreement (NAFTA) professional	2 Months
I-131	Application for Travel Document	Permanent resident applying for a re-entry permit	May 23, 2007
I-131	Application for Travel Document	Refugee or asylee applying for a refugee travel document	May 23, 2007
I-131	Application for Travel Document	Haitian Refugee Immigrant Fairness Act (HRIFA) principal applying for advance parole	July 03, 2007
I-131	Application for Travel Document	Haitian Refugee Immigrant Fairness Act (HRIFA) dependent applying for advance parole	February 18, 2007
I-131	Application for Travel Document	All other applicants for advance parole	July 03, 2007
I-140	Immigrant Petition for Alien Worker	Extraordinary ability	November 15, 2006
I-140	Immigrant Petition for Alien Worker	Outstanding professor or researcher	February 15, 2007
I-140	Immigrant Petition for Alien Worker	Multinational executive or manager	January 01, 2007
I-140	Immigrant Petition for Alien Worker	Schedule A Nurses	November 01, 2006
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability	March 21, 2007
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability requesting a National Interest Waiver	September 26, 2006
I-140	Immigrant Petition for Alien Worker	Skilled worker or professional	January 01, 2007
I-140	Immigrant Petition for Alien Worker	Unskilled worker	November 05, 2006
I-212	Application for Permission to Reapply for Admission into the U.S. After Deportation or Removal	Readmission after deportation or removal	April 17, 2007
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	All other special immigrants	6 Months
I-485	Application to Register Permanent Residence or to Adjust Status	Employment-based adjustment applications	April 14, 2007

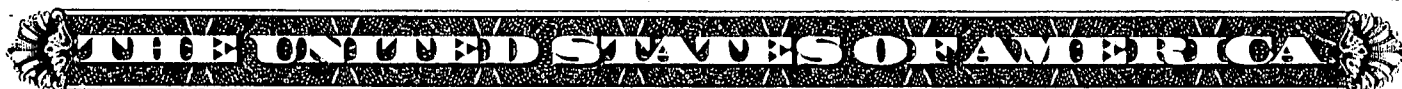
I-485	Application to Register Permanent Residence or to Adjust Status	Based on grant of asylum more than 1 year ago	February 01, 2007
I-485	Application to Register Permanent Residence or to Adjust Status	Based on refugee admission more than 1 year ago	December 08, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Under the Haitian Refugee Immigrant Fairness Act (HRIFA)	6 Months
I-485	Application to Register Permanent Residence or to Adjust Status	Under the Indochinese Adjustment Act	6 Months
I-539	Application to Extend/Change Nonimmigrant Status	Change of status to H or L dependents	May 10, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change status to the F or M academic or vocational student categories	May 10, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change Status to the J exchange visitor category	May 10, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other change of status applications	May 10, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of stay for H and L dependents	May 10, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for F or M academic or vocational students	May 10, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for J exchange visitors	May 10, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other extension applications	May 10, 2007
I-612	Application for Waiver of the Foreign Residence Requirement	Application for a waiver of the 2-year foreign residence requirement based on exceptional hardship or persecution	April 08, 2007
I-730	Refugee/Asylee Relative Petition	Petition for accompanying family members of a refugee or an asylee	September 16, 2006
I-751	Petition to Remove the Conditions on Residence	Removal of lawful permanent resident conditions (spouses of U.S. citizens and lawful permanent residents)	January 27, 2007
I-765	Application for Employment Authorization	Based on an approved asylum application [(a)(5)]	30 Days
I-765	Application for Employment Authorization	Based on a request by a qualified F-1 academic student. [(c)(3)]	11 Weeks
I-765	Application for Employment Authorization	Based on a pending asylum application [(c)(8)]	30 Days
I-765	Application for Employment Authorization	Based on a pending I-485 adjustment application [(c)(9)]	July 03, 2007
I-765	Application for Employment Authorization	All other applications for employment authorization	11 Weeks
I-817	Application for Family Unity Benefits	Voluntary departure under the family unity program	6 Months
I-824	Application for Action on an Approved Application or Petition	To request further action on an approved application or petition	January 20, 2007

[Print This Page](#)

[Back](#)

U.S. Department of Homeland Security

EXHIBIT 10

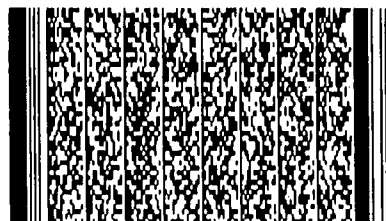


ASC Appointment Notice

APPLICATION NUMBER LIN0702650404	NOTICE DATE 12/12/2006
SOCIAL SECURITY NUMBER	CODE 3
TCR	PAGE 1 of 1
USCIS A# A099876156	SERVICE CENTER NSC

CASE TYPE
I485 Application to Register Permanent Resident or Adjust Status

WEN CHENG HSIUNG
c/o LINDA LAU
LAW OFFICES OF LINDA W LAU
350 S FIGUEROA ST SUITE 760
LOS ANGELES, CA 90071



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.

IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTER

USCIS SAN MARCOS
727 W. SAN MARCOS BLVD.
SUITE 101, 102 (106 temp)
SAN MARCOS, CA 92069

PLEASE READ THIS ENTIRE NOTICE CAREFULLY.

DATE AND TIME OF APPOINTMENT

01/03/2007
10:00 AM

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:

- 1. THIS APPOINTMENT NOTICE** and
- 2. PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.

REQUEST FOR RESCHEDULING

Please reschedule my appointment for the next available: ☐ Wednesday afternoon ☐ Saturday afternoon

U. S. Citizenship & Immigration Services (USCIS) cannot guarantee the day preferred, but will do so to the extent possible. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS SAN MARCOS, 727 W. SAN MARCOS BLVD., SUITE 101, 102 (106 temp), SAN MARCOS, CA 92069

APPLICATION NUMBER 1

I485 LIN0702650404



If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!

Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.

If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.



ASC Appointment Notice

APPLICATION NUMBER

LIN0702650415

NOTICE DATE

12/12/2006

CASE TYPE

I485 Application to Register Permanent Resident or Adjust Status

SOCIAL SECURITY NUMBER

USCIS A#

A099876157

CODE

3

TCR

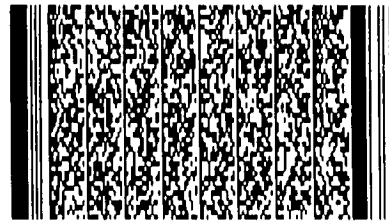
SERVICE CENTER

NSC

PAGE

1 of 1

CHIA HUI TANG
c/o LINDA LAU
LAW OFFICES OF LINDA W LAU
350 S FIGUEROA ST SUITE 760 *
LOS ANGELES, CA 90071



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APPLICATION SUPPORT CENTER

USCIS SAN MARCOS
727 W. SAN MARCOS BLVD.
SUITE 101, 102 (106 temp)
SAN MARCOS, CA 92069

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10:00 AM

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APPLICATION NUMBER

I485 - LIN0702650415



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ASC Appointment Notice

APPLICATION NUMBER

LIN0702650428

NOTICE DATE

12/12/2006

CASE TYPE

1485 Application to Register Permanent Resident or Adjust Status

SOCIAL SECURITY NUMBER

USCIS A#

A099876158

CODE

3

TCR

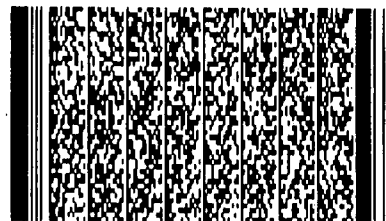
SERVICE CENTER

NSC

PAGE

1 of 1

PEI YU HSIUNG
c/o LINDA LAU
LAW OFFICES OF LINDA W LAU
350 S FIGUEROA ST SUITE 760
LOS ANGELES, CA 90071



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

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APPLICATION SUPPORT CENTER

USCIS SAN MARCOS
727 W. SAN MARCOS BLVD.
SUITE 101, 102 (106 temp)
SAN MARCOS, CA 92069

PLEASE READ THIS ENTIRE NOTICE CAREFULLY.

DATE AND TIME OF APPOINTMENT

01/03/2007

10:00 AM

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- 1. THIS APPOINTMENT NOTICE** and
- 2. PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

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APPLICATION NUMBER 1

1485 - LIN0702650428



If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!

Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.

If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.



ASC Appointment Notice

APPLICATION NUMBER

LIN0702650435

NOTICE DATE

2/9/2007

CASE TYPE

I485 Application to Register Permanent Resident or Adjust Status

SOCIAL SECURITY NUMBER

USCIS A#

A099876159

CODE

2

TCR

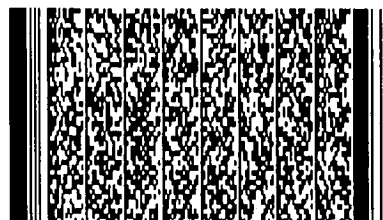
SERVICE CENTER

NSC

PAGE

1 of 1

YUEH LING HSIUNG
c/o LINDA LAU
LAW OFFICES OF LINDA W LAU
350 S FIGUEROA ST SUITE 760
LOS ANGELES, CA 90071



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.

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APPLICATION SUPPORT CENTER

USCIS SAN MARCOS
727 W. SAN MARCOS BLVD.
SUITE 101, 102 (106 temp)
SAN MARCOS, CA 92069

PLEASE READ THIS ENTIRE NOTICE CAREFULLY.

DATE AND TIME OF APPOINTMENT

02/24/2007

11:00 AM

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:

- 1. THIS APPOINTMENT NOTICE** and
- 2. PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

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REQUEST FOR RESCHEDULING

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APPLICATION NUMBER 1

I485 - LIN0702650435



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JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Wen-Cheng Hsiung, Chia Hui Tang, Pei Yu Hsiung,
Yueh Ling Hsiung

(b) County of Residence of First Listed Plaintiff San Diego
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Linda W. Lau, Law Offices of Linda W. Lau, World Trade Center, 350 S.
Figueroa Street, Ste. 760, Los Angeles, CA 90071

DEFENDANTS

USCIS, Michael MUKASEY, Dept. of Homeland Security; Michael
Chertoff, USCIS, FBI, Robert S. Mueller III, et al.
County of Residence of First Listed Defendant Washington, DC

(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

07 CV 2418 BTM-JMA

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
5 U.S.C. Section 701 et. seq.

Brief description of cause:

Complaint for Madamus to compel Defendants to adjudicate Plaintiffs' Applications for Adjustment of Status

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

12/21/2007

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # 145935

AMOUNT \$350

APPLYING IFP

JUDGE

MAG. JUDGE

**UNITED STATES
DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

**# 145935 - BH
* * C O P Y * *
December 27, 2007
15:17:55**

Civ Fil Non-Pris
USAO #: 07CV2418 CIVIL FILING
Judge.: BARRY T MOSKOWITZ
Amount.: \$350.00 CK
Check#.: BC# 189

Total-> \$350.00

**FROM: CIVIL FILING
HSIUNG V. USCIS**